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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/650,194	08/29/2000	Keith Henry Stockman Campbell	7681.0010-00	8594
22852 7590 12/26/2007 FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER CROUCH, DEBORAH	
			ART UNIT 1632	PAPER NUMBER
			MAIL DATE 12/26/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

09/650,194

Examiner

Deborah Crouch, Ph.D.

Applicant(s)

CAMPBELL ET AL.

Art Unit

1632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the interview summary of December 6, 2007.
2. ☒ The allowed claim(s) is/are 19-50.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☒ Certified copies of the priority documents have been received in Application No. 08/803,165.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 12/6/07.
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Deborah Crouch, Ph.D.  
Primary Examiner  
Art Unit: 1632

Art Unit: 1632

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Sal Arrigo on December 6, 2007.

1. Please rewrite claims 35, 39, 43 and 47 as follows:

35. A method of cloning an ungulate by nuclear transfer comprising:

(i) inserting a nucleus of a cultured diploid ungulate fibroblast in the G1 phase of the cell cycle into an unactivated, enucleated metaphase II-arrested ungulate oocyte of the same species to reconstruct an embryo;

(ii) maintaining the reconstructed embryo without activation for a sufficient time to allow the reconstructed embryo to become capable of developing to term;

(iii) activating the resultant reconstructed embryo;

(iv) culturing said activated, reconstructed embryo to blastocyst; and

(v) transferring said cultured, reconstructed embryo to a host ungulate of the same species such that the reconstructed embryo develops to term.

39. A method of cloning an ungulate fetus by nuclear transfer comprising:

(i) inserting a nucleus of a cultured diploid ungulate fibroblast in the G1 phase of the cell cycle into an unactivated, enucleated metaphase II-arrested ungulate oocyte of the same species to reconstruct an embryo;

(ii) maintaining the reconstructed embryo without activation for a sufficient time to allow the reconstructed embryo to become capable of developing to term;

(iii) activating the resultant reconstructed embryo;

(iv) culturing said activated, reconstructed embryo to blastocyst; and

Art Unit: 1632

(v) transferring said cultured, reconstructed embryo to a host ungulate of the same species such that the reconstructed embryo develops into a fetus.

43. A method of cloning an ungulate by nuclear transfer comprising:

(i) inserting a nucleus of a cultured diploid ungulate differentiated cell in the G1 phase of the cell cycle into an unactivated, enucleated metaphase II-arrested ungulate oocyte of the same species to reconstruct an embryo;

(ii) maintaining the reconstructed embryo without activation for a sufficient time to allow the reconstructed embryo to become capable of developing to term;

(iii) activating the resultant reconstructed embryo;

(iv) culturing said activated, reconstructed embryo to blastocyst; and  
transferring said cultured, reconstructed embryo to a host ungulate of the same species such that the reconstructed embryo develops to term.

47. A method of cloning an ungulate fetus by nuclear transfer comprising:

(i) inserting a nucleus of a cultured diploid ungulate differentiated cell in the G1 phase of the cell cycle into an unactivated, enucleated metaphase II-arrested ungulate oocyte of the same species to reconstruct an embryo;

(ii) maintaining the reconstructed embryo without activation for a sufficient time to allow the reconstructed embryo to become capable of developing to term;

(iii) activating the resultant reconstructed embryo;

(iv) culturing said activated, reconstructed embryo to blastocyst; and

(v) transferring said cultured, reconstructed embryo to a host ungulate of the same species such that the reconstructed embryo develops into a fetus.

Art Unit: 1632

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deborah Crouch, Ph.D. whose telephone number is 571-272-0727. The examiner can normally be reached on M-Fri, 6:00 AM to 3:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Paras can be reached on 571-272-4517. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Deborah Crouch, Ph.D.  
Primary Examiner  
Art Unit 1632

December 21, 2007